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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,764

07/07/2003

Oyvind Stromme

10022/578

8000

28164 7590 04/10/2008
ACCENTURE CHICAGO 28164
BRINKS HOFER GILSON & LIONE
P O BOX 10395
CHICAGO, IL 60610

EXAMINER

TRAN, CON P

ART UNIT

PAPER NUMBER

2615

MAIL DATE

DELIVERY MODE

04/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/614,764	Applicant(s) STROMME, OYVIND	
	Examiner CON P. TRAN	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1--20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 12 and 17 are objected to because of the following informalities:

Independent Claim 12, line 6 states "said cameras", but line 2 states "a camera";

Dependent Claim 17, line 3 states "the cameras", but independent claim 12, line 2 states "a camera".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-2, 5-6, 9-13, and 16-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over M. Fukumoto et al., FINGER-POINTER": POINTING INTERFACE BY IMAGE PROCESSING", Computers and Graphics, Pergamon Press LTD. Oxford, GB, vol. 18, no. 5, 9/1/1994, pp. 633-642, cited by Applicant, (hereinafter, "Fukumoto") in view of Cohen-Solal et al. U.S. Patent 7,028,269 (hereinafter, "Cohen-Solal").

Regarding **claim 1**, Fukumoto teaches sound control installation for at least one electrical unit comprising:

at least two cameras (wall camera, ceiling camera, see Figs. 1, 2) to take pictures of a determined area (living room, col. 634, left column) in a space containing the electrical units (control VCR, page 639, right column);

a microphone positioned in area to sense the sounds in said space (page 637, right column); a

control screen (Fig. 6, 7) displaying an image of the space and the electrical units (VCR, Fig. 15);

a control device (VPO Virtual Projection Origin, Figs. 6, 7, 8) for positioning on the control screen a cursor (target, Fig. 7) in accordance with movements of a hand of a user detected by said cameras (wall camera, ceiling camera, see Figs. 1, 2), and for controlling a determined electrical unit (control VCR, page 639, right column) when:

the cursor (target, Fig. 7) is on the image of said determined electrical unit (control VCR, page 639, right column),

a sound is produced (integration of voice, page 637, right column)'

a system associated with the microphone (page 637, right column).

Fukumoto discloses the microphone for voice command. Fukumoto does not explicitly disclose using at least two microphones positioned at different locations

and a system associated with the microphones checks that the origin of the sound is close to the position of the hand.

Cohen-Solal discloses a video camera targeting systems that locate and acquire targets (col. 2, lines 37-42) in which sound source transducer (49, Fig. 1B) which could be an array of microphones to pinpoint the source of sounds, applies a signal to a sound source processor 16 which applies a position vector (102, Fig. 1B) to control processor (10, Fig. 1B). If the target emits a sound, this information can be used to locate the target based on the source vector (102, Fig. 1B; col. 8, lines 6-12).

For further clarification, Cohen-Solal further teaches the system captures and processes the voice and gesture inputs and re-positions a PTZ video camera to focus on the object that best matches both the characteristics and the gesture. Thus, the PTZ camera is aimed based upon the inputs the system receives and the system's ability to locate the target by its sensors (col. 2, lines 46-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the video camera targeting systems taught by Cohen-Solal with the sound control installation of Fukumoto such that using at least two microphones positioned at different locations and a system associated with the microphones checks that the origin of the sound is close to the position of the hand as claimed in order to greatly reduce the need for a training, as suggested by Cohen-Solal in column 3, lines 9-10.

Regarding **claim 2**, Fukumoto in view Cohen-Solal teaches the installation of claim 1, in which said at least one electrical unit communicates with the control device through a wired link (i.e. Ethernet; see Fig. 2).

Regarding **claim 5**, Fukumoto in view Cohen-Solal teaches the installation of claim 1, in which the electrical units are identified on said control screen by a pictogram located in a picture representing said space (target, cursor, see Fukumoto Fig. 7).

Regarding **claim 6**, Fukumoto in view Cohen-Solal teaches the installation of claim 1, in which several cursors (target, cursor, see Fukumoto, Figs. 7, 10) are displayed on said control screen(screen, Fukumoto, Fig. 7), each cursor following the displacements of a hand in the surveyed area of the cameras (wall camera, ceiling camera, see Fukumoto, Figs. 1, 2, 3-5; pages 635-636)

Regarding **claim 8**, Fukumoto in view Cohen-Solal teaches the installation of claim 1. Cohen-Solal, as modified, further teaches in which the electrical units are turned on further to the detection of a sound in said space (sound source transducer, 49, Fig. 1B, col. 8, lines 6-12; a sound source location sensor 16 for locating objects emitting sounds, col. 8, lines 37-41).

Regarding **claim 9**, Fukumoto in view Cohen-Solal teaches the installation of claim 8. Fukumoto in view Cohen-Solal further teaches, in which the hand controlling

the cursor (target, cursor, see Fukumoto, Figs. 7, 10) on the control screen (screen, Fukumoto, Fig. 7) is chosen by matching the detected origin of the activation sound and the location of the hand detected by the cameras (see Cohen-Solal, Fig. 4, col. 9, lines 38-46).

Regarding **claim 10**, Fukumoto in view Cohen-Solal teaches the installation of claim 1, when the cursor (target, cursor, see Fukumoto, Fig. 7) comes on the pictogram of an electrical unit on the control screen (screen, see Fukumoto, Fig. 7), the corresponding pictogram is lighted (see Cohen-Solal, col. 5, lines 7-12).

Regarding **claim 11**, Fukumoto in view Cohen-Solal teaches the installation of claim 1, when the cursor (target, cursor, see Fukumoto, Fig. 7) comes on the pictogram of the electrical units on the control screen (screen, see Fukumoto, Fig. 7), the corresponding electrical unit is identified by a sound message (beep sound, see Cohen-Solal, col. 5, lines 7-12).

Regarding **claim 12**, Fukumoto teaches sound control installation for controlling an electrical unit comprising:

a camera (wall camera, ceiling camera, see Figs. 1, 2) to take pictures of a determined area (living room, col. 634, left column) in a space containing the electrical units (control VCR, page 639, right column);

a microphone positioned in area to sense the sounds in said space (page 637, right column); a

a control device (VPO Virtual Projection Origin, Figs. 6, 7, 8) for controlling the electrical unit (control VCR, page 639, right column) in accordance with movements of a hand of a user detected by said camera (wall camera, ceiling camera, see Figs. 1, 2) when:

a sound is produced (integration of voice, page 637, right column)'

a system associated with the microphone (page 637, right column).

Fukumoto discloses the microphone for voice command. Fukumoto does not explicitly disclose using a system associated with the microphone checks that the origin of the sound is close to the position of the hand.

Cohen-Solal discloses a video camera targeting systems that locate and acquire targets (col. 2, lines 37-42) in which sound source transducer (49, Fig. 1B) which could be an array of microphones to pinpoint the source of sounds, applies a signal to a sound source processor 16 which applies a position vector (102, Fig. 1B) to control processor (10, Fig. 1B). If the target emits a sound, this information can be used to locate the target based on the source vector (102, Fig. 1B; col. 8, lines 6-12).

Cohen-Solal further teaches the system captures and processes the voice and gesture inputs and re-positions a PTZ video camera to focus on the object that best matches both the characteristics and the gesture. Thus, the PTZ camera is aimed based upon the inputs the system receives and the system's ability to locate the target by its sensors (col. 2, lines 46-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the video camera targeting systems taught by Cohen-Solal with the sound control installation of Fukumoto such that using a system associated with the microphone checks that the origin of the sound is close to the position of the hand as claimed in order to greatly reduce the need for a training, as suggested by Cohen-Solal in column 3, lines 9-10.

Regarding **claim 13**, this claim has similar limitations as Claim 2. Therefore it is interpreted and rejected for the reasons set forth in the rejection of Claim 2.

Regarding **claim 16**, this claim has similar limitations as Claim 5. Therefore it is interpreted and rejected for the reasons set forth in the rejection of Claim 5.

Regarding **claim 17**, this claim has similar limitations as Claim 6. Therefore it is interpreted and rejected for the reasons set forth in the rejection of Claim 6.

Regarding **claim 18**, this claim has similar limitations as Claim 8. Therefore it is interpreted and rejected for the reasons set forth in the rejection of Claim 8.

Regarding **claim 19**, this claim has similar limitations as Claim 9. Therefore it is interpreted and rejected for the reasons set forth in the rejection of Claim 9.

Regarding **claim 20**, this claim has similar limitations as Claim 10. Therefore it is interpreted and rejected for the reasons set forth in the rejection of Claim 10.

4. **Claims 3-4, and 14-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over M. Fukumoto et al., FINGER-POINTER": POINTING INTERFACE BY IMAGE PROCESSING", Computers and Graphics, Pergamon Press LTD. Oxford, GB, vol. 18, no. 5, 9/1/1994, pp. 633-642, cited by Applicant, (hereinafter, "Fukumoto") in view of Cohen-Solal et al. U.S. Patent 7,028,269 (hereinafter, "Cohen-Solal"), and further in view of Lyman U.S. Patent 4,303,836.

Regarding **claim 3**, Fukumoto in view Cohen-Solal teaches the installation of claim 1. However, Fukumoto in view Cohen-Solal does not explicitly disclose in which said at least one electrical unit communicates with the control device through wireless link.

Lyman teaches a silencer manually-operable from a remote post and adapted to suppress the audio output of a phonograph radio or television set during commercial breaks or other intervals, which silencer requires no wiring changes in the set to install (col. 1, lines 48-53), in which using a wireless link to transmit an ultra-high frequency radio signal (col. 5, lines 1-9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the wireless link taught by Lyman with the sound control installation of Fukumoto in view of Cohen-Solal in which said at least one

electrical unit communicates with the control device through wireless link as claimed in order to operates efficiency and reliably, and may be mass-produced at low cost, as suggested by Lyman in column 2, lines 65-67.

Regarding **claim 4**, Lyman, as modified, teaches in which the wireless link use radiofrequency transceiver (receiver, col. 4, lines 16-19; transmitter, col. 5, lines 1-9).

Regarding **claim 14**, this claim has similar limitations as Claim 3. Therefore it is interpreted and rejected under Fukumoto in view Cohen-Solal and further in view of Lyman for the reasons set forth in the rejection of Claim 3.

Regarding **claim 15**, this claim has similar limitations as Claim 4. Therefore it is interpreted and rejected for the reasons set forth in the rejection of Claim 4.

5. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over M. Fukumoto et al., "FINGER-POINTER": POINTING INTERFACE BY IMAGE PROCESSING", Computers and Graphics, Pergamon Press LTD. Oxford, GB, vol. 18, no. 5, 9/1/1994, pp. 633-642, cited by Applicant, (hereinafter, "Fukumoto") in view of Cohen-Solal et al. U.S. Patent 7,028,269 (hereinafter, "Cohen-Solal"), and further in view of Pryor et al. U.S. Patent 7,042,440 (hereinafter, "Pryor").

Regarding **claim 7**, Fukumoto in view Cohen-Solal teaches the installation of claim 1.

However, Fukumoto in view Cohen-Solal does not explicitly disclose further comprising a third camera to film a picture representing said space and the electrical units to be controlled, the third camera being located in order to film the room from a location not being comprised between said determined area and the control screen.

Pryor discloses input devices for computers including multiple TV cameras whose output is analyzed and used as input to a personal computer (col. 1, lines 21-27); other cameras (1510, Fig. 15a observing the pistol orientation and position; 1580, image 1588 of a player or other person 1586; col. 39, lines 37-44) in addition two cameras (1590, 1591, Fig. 15a; col. 40, lines 20-30).

Nevertheless, it would have been obvious to one of ordinary skill in the art at the time the invention was made when facing the design need of a third camera to film a picture representing said space and the electrical units to be controlled, the third camera being located in order to film the room from a location not being comprised between said determined area and the control screen would have recognized and would have incorporated the multiple TV cameras taught by Lyman with the sound control installation of Fukumoto in view of Cohen-Solal to obtain the third camera as claimed for purpose of having fast integration times capable of capturing common motions desired, and allows datums to be distinguished easily which greatly reduces computer processing time and cost, as suggested by Pryor in column 3, lines 44-47.

Response to Arguments

6. Applicant's arguments filed on 12/27/07 have been fully considered but they are not persuasive.

7. Applicants assert on pages 6-8, regarding claim 1-11:

“But neither Cohen-Solal et al. nor Fukumoto et al., alone or in combination, disclose or suggest using a microphone to check that the origin of a sound is close to a position of a hand of a user. In addition, neither Cohen-Solal et al. nor Fukumoto et al. disclose or suggest a control device for controlling the at least one electrical unit when it is determined that the hand is positioned close to the origin of sound.”

Examiner respectfully disagrees. As the rejection discussed above, Cohen-Solal discloses a video camera targeting systems that locate and acquire targets (col. 2, lines 37-42) in which sound source transducer (49, Fig. 1B) which could be an array of microphones to pinpoint the source of sounds, applies a signal to a sound source processor 16 which applies a position vector (102, Fig. 1B) to control processor (10, Fig. 1B). If the target emits a sound, this information can be used to locate the target based on the source vector (102, Fig. 1B; col. 8, lines 6-12).

For further clarification, Cohen-Solal further teaches the system captures and processes the voice and gesture inputs and re-positions a PTZ video camera to focus on the object that best matches both the characteristics and the gesture. Thus, the PTZ camera is aimed based upon the inputs the system receives and the system's ability to locate the target by its sensors (col. 2, lines 46-57).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the video camera targeting systems taught by Cohen-Solal with the sound control installation of Fukumoto such that using at least two microphones positioned at different locations and a system associated with the microphones checks that the origin of the sound is close to the position of the hand as claimed in order to greatly reduce the need for a training, as suggested by Cohen-Solal in column 3, lines 9-10.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran whose telephone number is (571) 272-7532. The examiner can normally be reached on M - F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Vivian C. Chin can be reached on (571) 272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cpt
April 10, 2008

/Vivian Chin/

Supervisory Patent Examiner, Art Unit 2615